REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

A Declaration is submitted herewith in order to provide a discussion of the factual background of this invention, and to provide a discussion of the teachings of the applied references by one skilled in the art. The Declaration also provides a discussion of the background of Nokia's 3GPP contribution "QoS and Scheduling Principles in USUPA," (R2-041519) applied in each of the prior art rejections.

An Information Disclosure Statement is submitted concurrently herewith, which is directed to a document discussed in the attached Declaration.

The claims have been amended to emphasize patentable aspects of this invention. Support for these amendments is noted in the comments below.

The pending art rejections are:

(1) Claims 79-82, 86, 88-97, 100-103, 106-111 and 118 were rejected under 35 USC 103(a) as unpatentable over Nokia's 3GPP contribution "QoS and Scheduling Principles in USUPA," (R2-041519) in view of US 2005/0073953 (Kekki) and WO 01/63855 (Schultz).

(2) Claims 83, 84, 99 and 113 were rejected under 35 USC 103(a) as unpatentable over Nokia's 3GPP contribution "QoS and Scheduling Principles in USUPA," (R2-041519) in view of US 2005/0073953 (Kekki), WO 01/63855 (Schultz) and Lucent's 3GPP contribution "Scheduled and Autonomous Mode Operation for the Enhanced Uplink," (R1-030284).

(3) Claims 85, 87, 104 and 105 were rejected under 35 USC 103(a) as unpatentable over Nokia's 3GPP contribution "QoS and Scheduling Principles in USUPA," (R2-041519) in view of

US 2005/0073953 (Kekki), WO 01/63855 (Schultz) and Fujitsu's 3GPP contribution "Signaling Framework for Enhanced Uplink Scheduling," (R1-040999, R2-041622).

(4) Claims 98 and 112 were rejected under 35 USC 103(a) as unpatentable over Nokia's 3GPP contribution "QoS and Scheduling Principles in USUPA," (R2-041519) in view of US 2005/0073953 (Kekki), WO 01/63855 (Schultz) and US 2004/0228313 (Cheng et al.).

(5) Claims 114-117 and 119 were rejected under 35 USC 103(a) as unpatentable over Nokia's 3GPP contribution "QoS and Scheduling Principles in USUPA," (R2-041519) in view of US 2004/0228313 (Cheng et al.).

To the extent that these rejections may be deemed applicable to the amended claims presented herein, the Applicants respectfully traverse based on the points set forth below.

The invention of independent claim 79 is directed to a method relating to scheduling uplink transmissions of mobile terminals in a mobile communication system taking into account Quality of Service (QoS) requirements. The invention involves multiplexing of plural flows having different QoS attributes onto a single dedicated uplink channel (see paragraph [00076] of the published application). The invention enables QoS-aware scheduling of individual mobile terminals for transmissions on the dedicated uplink channel.

In claim 79, a base station receives from a radio network controller (RNC) QoS attributes of a plurality of flows to be multiplexed to a single dedicated uplink channel. The base station receives a scheduling request from a mobile terminal that desires to transmit on the dedicated uplink channel. The scheduling request (1) includes a flow identifier that identifies one of the plurality of flows multiplexed on the dedicated uplink channel and (2) requests allocation of an uplink resource for transmission on the dedicated uplink channel. The base station schedules uplink resources for transmission of the mobile terminals on the dedicated uplink channel based

on the QoS attributes related to the flow identified by the flow identifier included in the scheduling request received from the mobile terminal. Given that the base station has received from the RNC the QoS attributes for the plurality of flows of the mobile terminals multiplexed to the dedicated uplink channel, the base station can associate the flow identifier in the scheduling request to the QoS attributes of the flows and makes its scheduling decision taking into account the QoS attributes of the flow. The invention thus provides an advantage wherein the base station may prioritize the allocation of uplink resources to the different mobile terminals that sent a scheduling request based on the QoS attributes associated to the flow identified in the respective scheduling requests (see Application as published, e.g., paragraphs [0121], [0141], [0142], [0144] and [0147]). (References herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

The present invention therefore provides an advantage of facilitating the scheduling of individual mobile terminals (i.e. on a per-mobile terminal basis) while still allowing for QoS differentiation of mobile terminals on a per-flow basis (see Application as published, e.g. paragraphs [0117], [0139], [0145]. The scheduling of the mobile terminals on a per-mobile terminal basis is expressed in claim 79 by referring to the "scheduling request [...] requests allocation of an uplink resource for transmission on the dedicated uplink channel to the mobile terminal transmitting the respective scheduling request." The provision of a per-flow QoS differentiation is reflected in claim 79 in the feature of "scheduling [...] based on the QoS attributes related to the flow identified by the identifier" that is included in the scheduling request.

It is submitted that the applied references, considered alone or together, fail to teach or

suggest the subject matter of the amended claims for at least the following reasons.

Tdoc. R2-041519 proposes different concepts for uplink scheduling of the E-DCH for discussion in the 3GPP working group RAN 2 (see section 1), i.e., it is related to the High Speed Uplink Packet Access (HSUPA) Work Item of the 3GPP RAN 2 working group. Tdoc. R2-041519 focuses its discussion on the prioritization of Node B (base station) scheduling and channel selective scheduling.

As pointed out in the attached Declaration, it should be noted that the 3GPP contribution Tdoc. R2-041519 has been discussed in the 3GPP RAN 2 working group in August 2004. At this point in time, the standardization and development of HSUPA and the related E-DCH transport channel was in an early stage. Tdoc. R2-041519 is therefore based on the assumption that the concepts used in High Speed Downlink Packet Access (HSDPA) are also applied to HSUPA. Accordingly, Tdoc. R2-041519 assumes that there is no provision of multiplexing of MAC-d flows/priority queues – the multiplexing of multiple MAC-d flows into one TB (MAC-e PDU) on the transport channel, i.e. E-DCH, was agreed upon in December 2004, i.e., after the date of Tdoc. R2-041519, in meeting #45 of the 3GPP RAN 2 working group. The Declaration further points out that the contribution is a general discussion document, which does not propose any specific detailed solution but rather discusses several scheduling principles on a rather abstract level of detail.

With respect to the prioritization of Node B scheduling, section 2.1 of Tdoc. R2-041519 relates to four different options how the Node B could differentiate the scheduling requests.

According to the "first option" discussed in section 2.1 Tdoc. R2-041519, the Node B does not differentiate between different requests by the UEs (mobile terminals) but simply gives some portion of the available (E-DCH) capacity to the request received first. This kind of

solution does not take into account relative priorities between different services in any way. Thus, all radio bearers mapped to E-DCH would have the same priority in the Node B scheduler and consequently the technique does not provide any QoS differentiation of the services.

Unlike the invention of claim 79, there is no QoS differentiation in the scheduling decision of the Node B, i.e., the Node B does not consider any QoS attributes in the scheduling decision so that there is also no need to inform the Node B on the QoS attributes of the different flows.

Further, unlike the invention of claim 79, there is no flow identifier provided in the scheduling requests (grant requests) of the UEs that could be used in scheduling the UEs by the Node B.

According to the "second option" discussed in section 2.1 Tdoc. R2-041519, the Node B knows the relative priority of each UE compared to the other UEs. In this case, the Node B scheduler could take this relative priority into account when performing the scheduling decision based on different rate grant requests received from different UEs. Relative priorities only indicate that one flow is higher priority than another flow and should be served therefore first. However, relative priorities provide no information on other QoS attributes (such as delay tolerance, power offset, etc.) which are necessary to efficiently schedule uplink resources, i.e., such that an efficient BLock Error Rate (BLER) (which is the common measure for efficient radio interface utilization) can be realized.

Unlike the invention of claim 79, the Node B of Tdoc. R2-041519 is not aware of the QoS attributes of the individual flows (e.g. MAC-d flow, Radio Bearer) but knows only the relative priority of the individual UEs served by the Node B. Thus, unlike the invention of claim 79, in Tdoc. R2-041519, there is no differentiation on the per-flow level in the scheduling

decision of the Node B.

Further, unlike the invention of claim 79, this "second option" discussed in Tdoc. R2-041519 is also not suitable when multiplexing different flows on a single dedicated uplink channel (e.g. E-DCH). As mentioned above, Tdoc. R2-041519 assumes that no multiplexing of MAC-d flows is implemented.

In addition, unlike the invention of claim 79, the "second option" discussed in section 2.1 of Tdoc. R2-041519 also lacks any identification of a flow by means of a flow identifier within the scheduling request (grant request).

According to the "third option" discussed in section 2.1 of Tdoc. R2-041519, the Node B knows the relative priority between different MAC-d flows of different UEs. The Node B scheduler could take this relative priority of different MAC-d flows into account when performing the scheduling decision based on different rate grant requests from different UEs, if UEs are making grant request per MAC-d flows. Although "this solution would work fine if only one priority level is transmitted inside one MAC-d flow," however "if multiple priorities could be [are] transmitted inside on MAC-d flow by MAC-d multiplexing, [as] this solution would face similar problems as the second option and could complicate the signaling between the UE and the Node B." This subject matter may imply the multiplexing of logical channels to individual MAC-d flows. Nevertheless, Tdoc. R2-041519 assumes that the MAC-d flows themselves are not multiplexed, but scheduling is performed per MAC-d flow (considering the relative priorities of the MAC-d flows for which rate grant requests have been sent), and this implies that there is data of one single MAC-d flow transmitted in a given transmission time interval via the transport channel.

This is unlike the invention of claim 79 which requires the multiplexing of plural flows to

a transport channel.

Notably, unlike the invention of claim 79, in Tdoc. R2-041519 the Node B is not aware of the QoS attributes of the individual flows, but knows only the relative priority of the individual MAC-d flows served by the Node B. As noted above and in the attached Declaration, relative priorities only indicate that one flow is higher priority than another flow and should be served therefore first. However, relative priorities provide no information on other QoS attributes (such as delay tolerance, power offset, etc.) which are necessary to efficiently schedule uplink resources, i.e., such that an efficient BLock Error Rate (BLER), which is the common measure for efficient radio interface utilization, can be realized.

Further, unlike the invention of claim 79, in Tdoc. R2-041519, there is also no flow identifier provided in the scheduling requests of the UEs that enables the Node B to identify the QoS attributes related to the flow that are to be considered in the scheduling decision. As mentioned above, the Node B uses a relative prioritization of MAC-d flows in its scheduling decision. To enable the Node B to perform the scheduling based on relative priorities, Tdoc. R2-041519 proposes to include an indication of the priority of the respective MAC-d flow to the rate grant requests (see the first and second sentences in the paragraph following the paragraph starting "The fourth option ..." in section 2.1).

In Tdoc. R2-041519, the indication of the priority of the MAC-d flow within the grant request thus does not enable the Node B to identify the MAC-d flow for which the grant request has been sent, so that the Node B cannot base its scheduling decision on its QoS attributes.

In addition, unlike the invention of claim 79, in Tdoc. R2-041519, there is no per-mobile terminal scheduling to request the allocation of an uplink resource for a transmission of multiplexed data of the plurality of flows, as the scheduling requests (grant request) are sent per-

MAC-d flow (which could be referred to as "per-MAC-d flow scheduling").

According to the "fourth option" discussed in section 2.1 of Tdoc. R2-041519, each MAC-d flow would have priority queues for different priorities in MAC-e of the UE, and the Node B knows the relative priority of each priority queue. The Node B scheduler takes this relative priority of different priority queues flows into account when performing the scheduling decision based on different rate grant requests from different UEs, if UEs are making grant request per priority queue.

As noted in the attached Declaration, there appears to be a copy-and-paste error in Tdoc. R2-041519 in the second sentence of the section describing the "fourth option" reciting that "The Node B scheduler could take this relative priority of different MAC-d flows into account [...]". This passage should read "The Node B scheduler could take this relative priority of different priority queues into account [...]" in view of the preceding sentence and the following sentences all referring a distinction of grant requests for individual priority queues.

The "fourth option" discussed in section 2.1 of Tdoc. R2-041519 does not set any restrictions on possible MAC-d multiplexing. However, this flexibility introduces extra complexity as priority queue distribution and multiple priority queues per MAC-d flow would be needed in UEs. As noted in the attached Declaration, the term "MAC-d multiplexing" does not refer to the multiplexing of MAC-d flows, but refers to the MAC-d entity providing a multiplexing function to multiplex different logical channels (that are input to the MAC-d entity) to a single MAC-d flow (that is output by the MAC-d entity). The "fourth option" discussed in section 2.1 of Tdoc. R2-041519 thus relates to a system in which there appear no restrictions on the multiplexing of logical channels (having different priorities) to a MAC-d flow in the MAC-d entity, but complexity is added due to requiring "de-multiplexing" data of a single MAC-d flow

to distribute same to multiple priority queues according to their priority. Accordingly, on the network side, the reordering would need to be done separately for each priority, i.e., each priority would need separate reordering buffers, compared to the "third option" where only one priority queue and reordering buffer is needed per MAC-d flow in UE and in S-RNC. If the re-ordering were to be done on a logical channel level, separate re-ordering distribution is not needed, as there would be one re-ordering queue per logical channel after MAC-e and MAC-d de-multiplexing.

Similar to the "third option" discussed in section 2.1, Tdoc. R2-041519 again fails to disclose plural flows multiplexed to a transport channel. In the "fourth option" discussed in section 2.1 of Tdoc. R2-041519, scheduling is performed per priority queue, which implies that there is data of one single priority queue transmitted in a given transmission time interval via the transport channel.

Further, unlike the invention of claim 79, in Tdoc. R2-041519 the Node B is not aware of the QoS attributes of the individual flows, but knows only the relative priority of the individual priority queues served by the Node B. As previously mentioned, relative priorities only indicate that one flow is higher priority than another flow and should therefore be served first. However, relative priorities provide no information on other QoS attributes (such as delay tolerance, power offset, etc.) which are necessary to efficiently schedule uplink resources, i.e., such that an efficient BLock Error Rate (BLER), which is the common measure for efficient radio interface utilization, can be realized.

Also, unlike the invention of claim 79, in Tdoc. R2-041519, there is also no flow identifier provided in the scheduling requests of the UEs that enables the Node B to identify the QoS attributes related to the flow that are to be considered in the scheduling decision. As

mentioned in the attached Declaration, the Node B uses a relative prioritization of priority queues in its scheduling decision. To enable the Node B to perform the scheduling based on relative priorities, Tdoc. R2-041519 proposes to include an indication of the priority of the respective priority queue to the rate grant requests (see the first and second sentences in the paragraph following the paragraph starting "The fourth option ..." in section 2.1). The indication of the priority of the priority queue within the grant request thus does not enable the Node B to identify the priority queue for which the grant request has been sent, so that the Node B cannot base its scheduling decision on its QoS attributes.

In the "fourth option" taught in Tdoc. R2-041519, the scheduling requests (grant requests) are sent per priority queue, unlike the invention of claim 79, where the scheduling requests are sent per mobile terminal to request the allocation of an uplink resource for a transmission of multiplexed data of the flows on the uplink transport channel.

The Final Rejection states that Tdoc. R2-041519 fails to teach that the base station receives from an RNC QoS information but does teach that the base station knows the QoS of each flow in terms of its priority.

The Final Rejection relies on Kekki to cure this deficiency.

The Final Rejection states that Kekki teaches receiving at the base station QoS information from an RNC, citing paragraphs [0040], [0049] and [0054] which disclose that the RNC sets QoS parameters and sends this information to the base station.

The attached Declaration provides a detailed discussion of Kekki.

In summary, the Declaration states that the gist of the Kekki system resides in the introduction of signaling TNL QoS-related information from the RNC to the Node B that either comprises a DSCP or a generic TNL-QoS Code Point. Kekki mentions that the DSCP or generic

TNL-QoS information may be conveyed by an Information Element (IE) of the Node B Application Part (NBAP) protocol during a Radio Link Setup and Radio Link Configuration (see paragraph [0048]). The Declaration states that this essentially means that upon setup of a Radio Link on the RNL between UE and RNC, QoS-related information for the Data Bearers in the TNL is provided to the Node B. The TNL-QoS information contains information of the QoS attributes for transporting data of the dedicated (transport) channels or shared (transport) channels via the Data Bearers (see Fig. 10) on the interface between Node B and RNC (see paragraph [0058]). The Declaration states that Kekki et al. provide the Node B with information on the QoS that should be provided on Transport Network Layer (TNL), i.e., the wired interface, Iub, between Node B and RNC, when receiving/forwarding the UE data on the transport channels from/to the RNC.

It is apparent that this subject matter of Kekki bears no relation to the feature of claim 79 of scheduling uplink transmissions on the radio interface between UE and Node B taking into account QoS attributes of one of a plurality of flows to be multiplexed to the transport channel.

The system of Kekki thus fails to teach or suggest any of the features of the presently claimed invention. Although Kekki forwards TNL-QoS information from a RNC to a Node B, this is not the same thing as the feature of the presently claimed invention of forwarding QoS attributes from a RNC to a Node B that relate to flows and are used in scheduling uplink resources to a UE to transmit data of flows multiplexed to an uplink transport channel. It is submitted that the term "flow" in the presently claimed invention is not the same thing as and cannot be interpreted as a "transport channel" to which the TNL-QoS information bear some relation in Kekki, as the "flows" are multiplexed to a " dedicated uplink channel" in the presently claimed invention.

The Final Rejection states that Tdoc. R2-041519 fails to disclose a base station with knowledge of QoS information of plural flows to be multiplexed to a single dedicated uplink channel but discloses a base station with knowledge of service priority of plural flows to be multiplexed to a single dedicated uplink channel.

The final Rejection states that Schultz cures this efficiency in that Schultz teaches a base station with knowledge of QoS information of plural flows to be multiplexed onto a dedicated uplink channel.

The attached Declaration provides a detailed discussion of Schultz

The Declaration states that the gist of Schultz resides in the optimized GPS-based TFC selection algorithm that schedules the data of the individual logical channels taking into account their QoS attributes (see page 21, lines 12-31). The GPS-based TFC selection algorithm of Schultz can be either used within the UE for uplink transmissions or by the RNC for downlink transmissions.

It is notable that, unlike the invention of claim 79, Schultz does not teach or suggest scheduling of uplink resources by a base station. First of all, it should be noted that the GPS-based TFC selection algorithm of Schultz is either used in the UE or the RNC (see page 21, lines 29-31), and not in the Node B (base station). Furthermore, the GPS-based TFC selection algorithm of Schultz is not used to schedule uplink resources in a Node B in response to scheduling requests by UEs, but to distribute already scheduled resources to the individual logical channels within the UE or RNC.

Accordingly, Schultz does not relate to any feature of present claim 79 except for the general idea of multiplexing flows to a transport channel.

Accordingly, it is submitted that the individual or combined teachings of Tdoc. R2-

041519, Kekki and Schultz fail to render obvious the features of the present claim 79 for the following reasons:

(1) Tdoc. R2-041519, Kekki and Schultz relate to completely different technical fields.

Tdoc. R2-041519 relates to the scheduling of uplink transmissions on a dedicated uplink channel in a mobile communication system taking into account the relative priorities of UEs, MAC-d flows or priority queues.

In contrast, Kekki relates to the signaling of TNL-QoS information from a RNC to a Node B, so as to configure TNL, i.e., the interface between Node B and RNC, according to a TNL-QoS.

Further in contrast, Schultz relates to an optimized TFC selection based on GPS that is distributing an already granted radio resource.

Taking the example of Fig. 23 of Kekki, this essentially means that Tdoc. R2-041519 and the present application relate to the scheduling procedure and related signaling between the MAC-d entities at UE and RNC, while Schultz relates to the operation of a single MAC-d entity in either UE or RNC. Finally, Kekki relates to the signaling of TNL QoS for the Iub interface between the Node B and the RNC.

(2) Even if the teaching of the three references were considered in combination, the result would still be deficient *vis-a-vis* the invention of present claim 79 because not one of the references relates to the following features of the presently claimed invention:

a) provide QoS attributes of multiple flows to be multiplexed onto a single dedicated uplink channel by a mobile terminal to a base station (Node B) from a radio network controller (RNC),

b) transmit a scheduling request from a mobile terminal (UE) to a base station (Node B)

that includes a flow identifier identifying one of the plurality of flows to be multiplexed onto the single dedicated uplink channel by the mobile terminal (UE) and

c) schedule by the base station (Node B) uplink resources for transmissions of mobile terminals (UEs) on the dedicated uplink channel based on the QoS attributes related to the flow identified by the identifier.

The attached Declaration states that, in view of the above points, the differences between present claim 79 and the combined disclosures of the three references discussed above would have made it necessary to carry out substantial adaptations that would not have been within the level of skill of the ordinary worker at the time of the present invention, i.e., when the underlying European application no. 04023418.9 was filed. The attached Declaration states that a skilled worker at the time of the present invention, i.e., when the underlying European application no. 04023418.9 was filed, would have not have reasonably expected that carrying out the required adaptations would have yielded a method enabling the scheduling of mobile terminals on a per-mobile terminal basis, while still providing a per-flow QoS differentiation. The Declaration states the opinion that none of Tdoc. R2-041519, Kekki, or Schultz have any subject matter that would have led the ordinarily skilled worker to any modifications to a system combining the subject matter of Tdoc. R2-041519, Kekki, and Schultz so as to have the above-discussed features of the presently claimed invention. For example, such prior art lacks any disclosure of utilizing a per-mobile terminal scheduling approach and to include a flow identifier to the scheduling requests of the mobile terminals to enable for per-flow QoS differentiation in the scheduling decision, as defined in the claims.

Accordingly, for at least the above reasons, it is submitted that present claim 79, and all claims dependent therefrom, are allowable over the individual or combined teachings of Tdoc.

R2-041519, Kekki and Schultz.

The Final Rejection relies on Cheng in rejecting independent claims 114, 116 and 119. The Final Rejection states that Tdoc. R2-041519 fails to disclose receiving at the mobile terminal from the base station a scheduling assignment considering the QoS attributes related to the identified flow, multiplexing data of the plurality of flows to the dedicated uplink channel, and transmitting data according to the scheduling assignment. The Final Rejection relies on Cheng to cure this deficiency. However, the Final Rejection does not propose that Cheng cures the deficiencies of Tdoc. R2-041519 noted above in the discussion of claim 79.

Independent claim 100 is an apparatus claim directed to a base station that corresponds to the above-discussed subject matter of method claim 79, and claim 118 is directed to a computer readable storage medium that corresponds to the above-discussed subject matter of method claim 79. It is submitted that claims 100 and 118, and all claims dependent therefrom, are allowable for similar reasons that claim 79 is allowable.

Independent claim 114 is a method claim directed to transmitting from a mobile terminal to a base station a scheduling request, wherein the scheduling request comprises a flow identifier identifying one of a plurality of flows to be multiplexed onto a single dedicated uplink channel and requests allocation of an uplink resource for transmission on the dedicated uplink channel to the mobile terminal transmitting the respective scheduling request, and wherein the flow identifier identifies Quality of Service (QoS) attributes related to the identified flow, receiving at the mobile terminal from the base station a scheduling assignment considering the QoS attributes related to the identified flow, multiplexing data of the plurality of flows to the dedicated uplink channel, and transmitting data on the dedicated uplink channel according to the scheduling assignment. From the above points and the detailed factual analysis provided in the attached

Declaration, it is submitted that the individual or combined teachings of Tdoc. R2-041519, Kekki and Schultz fail to teach or suggest a scheduling request transmitted from a mobile terminal to a base station, wherein the scheduling request comprises a flow identifier identifying one of a plurality of flows to be multiplexed onto a single dedicated uplink channel and requests allocation of an uplink resource for transmission on the dedicated uplink channel to the mobile terminal transmitting the scheduling request, and wherein the flow identifier identifies Quality of Service (QoS) attributes related to the identified flow, and receiving at the mobile terminal from the base station a scheduling assignment considering the QoS attributes related to the identified flow.

Independent claim 116 is an apparatus claim directed to a mobile terminal that corresponds to the above-discussed subject matter of method claim 114, and claim 119 is directed to a computer readable storage medium that corresponds to the above-discussed subject matter of method claim 114. It is submitted that claims 116 and 119, and all claims dependent therefrom, are allowable for similar reasons that claim 114 is allowable.

The 3GPP document "Scheduled and Autonomous Mode Operation for the Enhanced Uplink," (R1-030284) and the 3GPP document "Signaling Framework for Enhanced Uplink Scheduling," (R1-040999, R2-041622) are not cited in the final Rejection for any teaching that would cure the above-noted deficiencies of the art applied against the independent claims and thus are not discussed in detail herein.

In accordance with the discussion provided above, the Applicants respectfully submit that allowance of claims 79-119 is warranted.

Thus, it is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

Date: December 15, 2008

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